

Federal Communications Commission

DA 04-1607

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of

Amendment of Section 73.622(b),
Table of Allotments,
Digital Television Broadcast Stations.
(Pocatello, Idaho)

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MB Docket No. 03-233
RM-10699

REPORT AND ORDER
(Proceeding Terminated)

Adopted: June 2, 2004

Released: June 9, 2004

By the Chief, Video Division:

1. At the request of Compass Communications of Idaho, Inc. ("Compass"), licensee of station KFXP-TV, NTSC channel 31-, Pocatello, Idaho, the Commission has before it the Notice of Proposed Rule Making, 18 FCC Rcd 23765 (2003), proposing the allotment of DTV channel 38 at Pocatello. Compass filed comments withdrawing its interest in applying for channel 38 at Pocatello.¹ No other parties filed comments expressing an interest in the proposed allotment at Pocatello.

2. As stated in the *Notice*, a showing of continuing interest is required before a channel will be allotted. It is the Commission's policy to refrain from making an allotment to a community absent an expression of interest. Since there has been no such interest expressed in the proposed use of DTV channel 38 at Pocatello, we shall dismiss it. *See, e.g., Joshua Tree, California*, 54 Fed. Reg. 18557, published May 1, 1989; *Senatobia, Mississippi*, 3 FCC Rcd 4000 (1988); *Bradford, Vermont*, 2 FCC Rcd 6964 (1987); and paragraph 2 of the Appendix to the *Notice*.

3. In view of the above, IT IS ORDERED, That the petition for rule making filed by Compass Communications of Idaho, Inc., seeking the allotment of DTV channel 38 to Pocatello, Idaho (RM-10699), IS DISMISSED.

4. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

¹ In accordance with Section 1.420(j) of the Commission's Rules, Compass states that it has not received or will receive any money or other consideration in exchange for filing its withdrawal of its expression of interest in a DTV allotment at Pocatello, Idaho.

5. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

**Barbara A. Kreisman
Chief, Video Division
Media Bureau**